

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>CAPITOL RECORDS INC., et al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	<b>8:06CV267</b>
<b>vs.</b>	)	
	)	<b>ORDER</b>
<b>DAWN SCHMIDT,</b>	)	
	)	
<b>Defendant.</b>	)	

This case is before the magistrate judge for full pretrial supervision. The court file shows that the defendant was served with summons on July 10, 2006. Apparently, the defendant has failed to timely answer or otherwise respond to the complaint. It remains plaintiffs' duty to go forward in prosecuting the case by, for example, obtaining an entry of default and filing a motion for default judgment.

**IT THEREFORE IS ORDERED** that plaintiffs are given until **September 15, 2006** to obtain an entry of default and file a motion for default judgment, or take other appropriate action to prosecute the case. Failure to do so will result in a recommendation that the case be dismissed without prejudice pursuant to NECivR 41.1 for failure to prosecute.

**DATED August 25, 2006.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**